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In re Application of
LEXICON GENETICS
Appl. No.: PCT/US01/26687 and 09/769,952
Filing Date: 25 January 2001
Attorney Docket No.: LEX-0118-PCT &
LEX-0118-USA
For: NOVEL HUMAN ENZYMES AND
POLYNUCLEOTIDES ENCODING THE
SAME
DECISION

This is in response to applicant's "Petition under 37 CFR 1.182" filed on 09 March 2001.

BACKGROUND

On 25 January 2001, applicant filed the two patent applications. The first set of application papers included: 1) 5 pages of Request Form; 2) 28 pages of specification (1 claim page, 1 page Abstract, 26 pages Description); 3) a PCT Fee Calculation Sheet; 5); 2 8 pages of Sequence Listing; 6) power of attorney; 7) executed verified statement and 8) a PCT Easy Diskette. The second set of application papers included: 1) Utility Patent Application Transmittal Sheet; 2) 28 pages of specification (1 claim page, 1 page Abstract, 26 pages Description); 3) a PCT Fee Calculation Sheet; 5); 2 8 pages of Sequence Listing; 6) power of attorney; and 7) an executed verified statement. All papers were accorded application no. 09/769,952.

On 09 March 2001, applicant filed "Petition under 37 CFR 1.182" requesting that the Patent and Trademark Office (PTO) remove the PCT application from the U.S. application file (09/769,952) and accord the PCT application with an appropriate International application number and filing date of 25 January 2001.

DISCUSSION

A review of the evidence submitted by applicants, and other United States Patent and Trademark Office record reveals that the United States Receiving Office (RO/US) received two sets of application papers on 25 January 2001. Accordingly, the PCT application papers will be removed from the U.S. application file and placed in a PCT application file. These papers will given PCT application number (PCT/US01/26687) and will be accorded an international filing date of 25 January 2001.

The payment of the amount of \$1,957.00 as indicated on the Fee Calculation Sheet has been charged applicant's Deposit Account no. 50-0892 per authorization of the Fee Calculation Sheet.

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CONCLUSION

Applicant's petition under 37 CFR 1.182 is **GRANTED**.

PCT application no. PCT/US01/26687 is being returned to the United States Receiving Office for issuing a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) indicating an international filing date of **25 January 2001**.



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